

Thank you, Mr. President,

The United States is pleased to join consensus on this text in condemning extrajudicial, summary or arbitrary executions against all persons, irrespective of their status. We strongly support the renewal of the mandate of the Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions, and look forward to continuing dialogue with the mandate holder. We also strongly agree with and appreciate the cosponsors' efforts to retain the reference to General Assembly resolution 65/208, which contains language specifically condemning ESAs targeting vulnerable groups, including members of the LGBT community.

With regard to the legal underpinnings of this resolution, the United States notes that two mutually reinforcing bodies of law regulate unlawful killings of individuals by governments - international human rights law and international humanitarian law. While determining what international law rules apply to any particular government action during an armed conflict is highly fact-specific and made even more difficult by the changing nature of warfare, the applicable rules for the protection of individuals and conduct of hostilities in armed conflict outside a nation's territory are typically found in international humanitarian law. We are concerned that this point is not sufficiently clear in preambular paragraph 3. Moreover, while we agree that all extrajudicial, summary or arbitrary executions are crimes, we would clarify that whether such executions constitute crimes under the Rome Statute of the International Criminal Court would depend on the circumstances in each case.

In conclusion, we underscore our firm belief that all States have clear international obligations to protect human rights and fundamental freedoms and should take effective action to combat all extrajudicial, summary or arbitrary killings and punish the perpetrators, and that these obligations are inextricably intertwined with the promotion of justice and the rule of law.